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6 Attorneys for Plaintiff  
United States of America  
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9 IN THE UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 FRED LAVENDER,  
15 Defendant.  
16

CASE NO. 2:19-CR-239-TLN

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: August 6, 2020  
TIME: 9:30 a.m.  
COURT: Hon. Troy L. Nunley

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on August 6, 2020.
- 21 2. By this stipulation, defendant now moves to continue the status conference until August  
22 27, 2020, at 9:30 a.m., and to exclude time between August 6, 2020, and August 27, 2020, under Local  
23 Code T4.
- 24 3. The parties agree and stipulate, and request that the Court find the following:
- 25 a) The government has represented that the discovery associated with this case  
26 includes approximately 75 pages of reports and 19 audio or video recordings. All of this  
27 discovery has been either produced directly to counsel and/or made available for inspection and  
28 copying.

1           b)       Counsel for defendant desires additional time to consult with her client, review  
2 the charges, continue to further research the defendant's criminal history, further research  
3 possible defenses, further review evidence, discuss possible defenses and resolution, engage in  
4 further plea negotiations with the assigned AUSA, and otherwise prepare for trial.

5           c)       Counsel for defendant believes that failure to grant the above-requested  
6 continuance would deny her the reasonable time necessary for effective preparation, taking into  
7 account the exercise of due diligence.

8           d)       The government does not object to the continuance.

9           e)       Based on the above-stated findings, the ends of justice served by continuing the  
10 case as requested outweigh the interest of the public and the defendant in a trial within the  
11 original date prescribed by the Speedy Trial Act.

12           f)       For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
13 et seq., within which trial must commence, the time period of August 6, 2020 to August 27,  
14 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
15 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
16 of the Court's finding that the ends of justice served by taking such action outweigh the best  
17 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 6, 2020

McGREGOR W. SCOTT  
United States Attorney

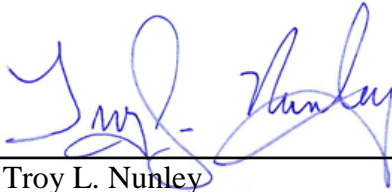
/s/ MICHAEL W. REDDING  
MICHAEL W. REDDING  
Assistant United States Attorney

Dated: August 6, 2020

/s/ Lexi Negin  
Lexi Negin  
Counsel for Defendant  
FRED LAVENDER

### FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 4<sup>th</sup> day of August, 2020.

  
Troy L. Nunley  
United States District Judge